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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/730,381	12/05/2000	Anat Greenberg	U 013094-4	7397
7590	12/27/2004			
Ladas & Parry 26 West 61 Street New York, NY 10023			EXAMINER BALI, VIKKRAM	
			ART UNIT 2623	PAPER NUMBER

DATE MAILED: 12/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/730,381	<b>Applicant(s)</b> GREENBERG ET AL.	
	<b>Examiner</b> Vikram Bali	<b>Art Unit</b> 2623	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 November 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 8-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 8-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

In response to the amendment filled on 8/31/2004, all the amendments have been entered and the action follows:

#### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 8-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Samuels (US 6483937).

With respect to claim 8, Samuels discloses a inspection device for an object in that a design lay out is constructed "defining an image map", where obtaining at least two different references each with distinct electrical circuit configuration to be inspected (see figure 2, 42, 44 the Mater pattern #1 and Mater pattern #2 are distinct configuration) utilizing different references together with orientation define map (see col. 3, lines 12-30) and acquiring an optical inspection output of electrical circuits and employing the image map and inspection output in a computerized automated inspection system (see figure 2 54, 31, and col. 3, lines 33-66) as claimed. However, he fails explicitly disclose obtaining orientation for the electrical circuit, as claimed. But, as described in col. 3, lines 20-25 the design layout is the design data i.e. the data is made up of different circuits with their size and shapes, therefore, one ordinary skilled in the art at the time of invention can simply call that as the orientation data, and can be use in the inspection process to generate a image map for the inspection.

With respect to claim 9, he further discloses, obtaining at least two different references comprises defining for each different references shape and size, (see col. 3, lines 20-27) as claimed.

With respect to claim 10, he further discloses electrical circuit includes at least one holes, (see col. 2, lines 60-64, the areas and the semiconductor device does has the holes on them) as claimed.

With respect to claim 11, he further discloses grouping plurality of references into at least one cluster, (see figure 2, numerical 41, the mater pattern #1 and the master pattern #2 are the clusters) as claimed.

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With respect to claim 12, he further discloses defining cluster of references included a location of reference (the master pattern #1 has the location of the circuits on the object) as claimed.

Claims 13-16 are the well-known features of the automated inspection system; therefore, one ordinary skilled in the art at the time of inspection can simply use the known features of the automated inspection system in order to inspect an object.

With respect to claim 17 as best understood, he further discloses plurality of circuit is formed on a substrate, (see col. 2, lines 39-45, the semiconductor device has the plurality of circuits on a substrate) as claimed.

### ***Response to Arguments***

4. Applicant's arguments with respect to claims 8-17 have been considered but are moot in view of the new ground(s) of rejection.

Applicant's arguments filed 8/31/2004 have been fully considered but they are not persuasive. Applicant argues that the reference fails to disclose at least two different references, each of said at least two references corresponding to one of at least two distinct electrical circuit configurations to be inspected, (see paragraph connecting pages 5 and 6 of remarks). Examiner disagrees with the applicant. In the instant case the reference Samuels discloses at least two different references, see figure 2 numerical 42 and 44 and the description in col. 3, lines 25-32, and these two master pattern or the different references are corresponding to one of at least two distinct

circuit, see figure 2 numerical 32, the numerical 32 has different pattern i.e. at least two distinct circuit, as claimed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vikkram Bali whose telephone number is 703.305.4510. The examiner can normally be reached on 7:30 AM - 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amelia Au can be reached on 703.308.6604. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Vikkram Bali  
Primary Examiner  
Art Unit 2623



vb  
December 22, 2004